a broken-down thief, and for putting before

the feet of an excellent British detective

a stepping stone to possible early promotion

Georgiana, Duchess of Devonshire, was

what had become of the painting. On the other hand, curious to relate, among a certain class of criminals in London and ong some of the detectives of Scotiand Yard no doubt was expressed that the picture had been stolen, and, furthermore, neither the criminals nor the detectives made any bones of naming the man whom they believed to be the thief. Oddly enough, criminals and detectives alike named the same man, and ever since the theft and down to the present time if the question was asked in certain circles—asked of former Chief of Police Thomas Byrnes, for instance—"Who stole the picture of the Duchess of Devonshire?" the newer would invariably be: "Why, So-and-so, course.

LIGHT ON THE MYSTERY AT LAST

Thus, for a quarter of a century, the theft remained a mystery, and for the past decade little has been said or written about it. A Sun learned that the picture had been found, that it was to be returned to its owners, and it and the name of the man who was to conduct the negotiations for its return. The latter is a sporting man of international reputation who at that time was in New

Three weeks ago last Saturday the thief arrived in New York from London: Two weeks ago last Monday C. Morland Agnew, a son of Sir William Agnew, and his wife arrived by the Etruria. On that day the sporting man and the thief received a telegram from William A. Pinkerton at Chicago requesting them to come to Chicago at once. They took the first train they could catch. Mr. and Mrs. Agnew left here at 5:30 o'clock the next afternoon. They arrived in Chicago on the afternoon of March 20 and went to the Auditorium Hotel. The sporting man and the thief had rooms in the same building. That evening Mr. and Mrs. Agnew were called upon by Mr. Pinkerton, and after a short conversation a trunk, which was somewhat the worse for wear, was brought into Mr. Agnew's room.

RETURN OF THE PAINTING

Pinkerton opened it, took out the tray, and then with a screwdriver scraped off some paint in four places on the bottom of the trunk. When this paint was removed the rooms heads of four screws were revealed. When the screws were removed and the thin board which they held down was taken out the false bottom of the trunk was revealed. In that false bottom Mr and Mrs Agnew saw something that was covered with oilcloth. The oilcloth was taken out and some other coverings removed, and then a piece of canvas was seen. This was carefully taken out by Mr. Pinkerton, and it was found to have been rolled at either end around two wooden rollers and the front carefully covered with cotton batting. While all this was being done by the veteran detective it is said that Mr. and Mrs. Agnew stood by quite unable to suppress their feelings of excitement Finally, when all the wrappings had been taken off, Pinkerton turned the front of the canvas toward Mr. Agnew and said:

"Do you think this is the genuine Gainsborough?

Mr. Agnew rushed forward, and took the canvas up tenderly and looked at it long and with that fondness with which a parent would look upon the face of a long-lost child. Finally he said:

"There is no doubt, sir, about it. No doubt at all. At last we have got the canvas actually in our hands.

Mr. Pinkerton, who has never been regarded as an emotional person, suggested that, in order that there should be no possibility of a mistake, a most careful examination should be made. Then Mr. Agnew forgot his sentiment and became for the time being the careful and critical art dealer. He measured it, examined the technique, and then pulled perhaps two inches square. Down in one storage, put it in the specially constructed corner of the painting it was noticed that a trunk from which it was returned to Mr. small bit of the canvas had been cut out. Spreading the larger area on the floor, Mr. United States. When he got here he put his d to fit in the smaller piece It fitted exactly. Then he turned to Mr. Pinkerton and said

solutely no mistake. Besides, even if I had no other evidence, I would only have to notice the hands. Nobody but Gainsborough got the trunk out of storage again, and put could paint a hand like that. But the vacant it in a warehouse in Philadelphia. There it niche is filled by this bit of canvas; the measurements are exact, everything is right. It is for a third time, not many years ago, when

HOW THE REWARD WAS PAID.

"Very well," Mr. Pinkerton said, "I am glad to be able to turn over to you your property. The only matter left to be arranged Agency has absolutely nothing to do, but since it is absolutely impossible for you to meet the parties with whom the negotiations have been conducted, I am willing to act as the medium of transfer."

Mr. Agnew then took from his pocket a certain number of \$1,000 bills. Just the exact number THE SUN is not permitted to state, but it may be said that when they had been counted there were a few more than twenty of them. Mr. Pinkerton bade Mr. and Mrs. Agnew good-night and left the room. In another room on another floor of the hotel the sporting man awaited the detective's coming. His call on this gentleman was very brief. The detective simply handed over the roll of \$1,000 bills and left. In still another room, not far away, sat the thief. The sporting man went to his room, turned over the money, and that night the man who twentyfive years before had cut from its frame Gainsborough's portrait of Georgiana, Duchess of Devonshire, and carried it away from the Agnews' art rooms, left for the East by a more or less circuitous route, and in due time arrived in New York. The following day Mr. and Mrs. Agnew left for New York, and last Saturday sailed by the same ship that brought them over for Liverpool If all goes to them, was the man who stole the picture and who is going back to London to live, for a time at least, on the reward which he received for returning the property he had stolen.

STRANGEST PART OF THE STORY. The history of how the portrait happened

to be located and returned to its owners is perhaps, the strangest feature of the strange story. About fifteen years ago a noted forger, one of the most noted of his day, a man named Joseph Elliott, alias Reilly, alias Randal, alias "Little Joe," was arrested in this country for a large forgery, escaped from prison and was rearrested by the Pinker- gied him on a steamer leaving Constantitons at Peekskill, N. Y. Elliott's crime consisted of passing a forged check for \$64,000 porporting to have been drawn by the X-York Life Insurance Company on the 1 . Trust Company of New York. Previous to the commission of this crime Elbott had been concerned in the burglary of the Third National Bank of Baltimere, which occurred in August, 1872. With one of his associates. Joe Chapman, Elliott fled to Europe, and there became associated with some notorious English thieves. William A. Pinkerton followed the men to Europe, arrested Elliott and brought him back to this country. After Elliott's conviction he asked for an interview with Mr. Pinkerton. The request was granted and the burglar and forger recalled the theft of the picture of the Duchess of | been nothing but a white elephant on my Devonshire. He made a proposition to hands ever since I had it. It's now in stor Pinkerton, the terms of which were that he age in America, I'm broke in Turkey and (Elliott) should receive his liberty on con- nothing doing with the picture. dition that he made it possible for Pinkerton to recover the stolen picture.

In making this proposition Elliott told Mr. "Ah," said the thief, smiling, "that's an

Pinkerton all about the theft and the motive old story now. It's been tried often and for it. Up to that time it was generally believed by those who believed that the picture had been stolen at all that the theft had been committed simply for the purpose of gaining a large reward for its return. Elliott's story showed that this was not true. He told Pinkerton that shortly after the theft of the picture a gang of forgers operating under the leadership of Charles Becker, one of the most expert forgers of this or any other country, and now serving a sentence of eight years in the California State prison for obtaining \$22,000 from the Nevada Bank f SanFrancisco through the medium of a forged check, was arrested for obtaining £2,200 through forged paper on the London Westminster Bank. Some of the gang went to France and were arrested in the Grand Hotel Building in Paris.

HOW THE PLOT WAS HATCHED

One of those arrested was Elliott's brother. Every effort was made by Becker and Elliott secure this man's release. When every other means failed they returned to London and had a conference with a well-known forger and "second-story man" and alllittle more than a month ago, however, THE around burglar, for the purpose of determining what could be done to get Elliott's brother out of prison. The man whom they conit also learned the name of the man who stole | sulted had made two or three good hauls and was for the time retired from business. He did not, however, have enough ready money to provide the necessary bond. One evening they left their lodgings to go out for a walk and talk the scheme over again. It chanced that they passed by the Agnew art rooms. From reading the papers they knew that the celebrated Gainsborough picture was on exhibition there. As they passed the door they saw crowds of the quality of London going in to see the picture. Then and there the forger, with the reputation as a clever second-story man as an annex, got an inspiration

He suggested that the three immediately return to their lodgings and he then unfolded his plan for raising enough money to get Elliott's brother out of the French prison. He and another man whom he named were to go that night or very early the next morning, to Agnew's art rooms, gain entrance by a rear window, cut the picture from its frame get away with it, and then open pegotiations for its return. Becker and Elliott were captivated by the brilliancy of the suggestion No time was lost in carrying it out. The partner of the man who was to do the trick was found, and together they went to the art

THE TRICK TURNED

They were surprised at the case with which the job could be done. They found that a window, handily placed for their purpose had been left unlocked. The "second-story" man promptly climbed on the shoulders of his stepladder," raised the sash (the window was on the ground floor) gained access to the room, ound the picture, cut it from its frame and away they went with it, taking pains to leave the window exactly as they found it.

It so happened, however, that Elliott's brother, having been extradited to England, was released on a technicality in the English law, and it was then decided by the man who had stolen the picture to hold it for a larger reward than the £1,000 which had already been offered. No way was opened of negotiating for the return of the picture with a guarantee of immunity from punishment fo the thief, and so the picture was placed in a box, which was hermetically sealed, and placed in storage in London, When Elliott found himself in limbo it occurred to him that he might make use of his knowledge of the stolen Gainsborough to secure his own liberty. While the Pinkertons absolutely refused to do business with the crook, they reported the story he had told to Scotland Yard. The authorities of that institution took the matter up, and negotiations were actually begun for the return of the picture The reward for is return was increased to

All this time the thief was living in London Finally, ten years after the theft, he concluded to come to New York, where he was born. out of his pocket a small piece of canvas, for a short stay. He took the picture out of Agnew, and brought it along with him to the Just before he treasure in storage. to England, however, he removed it from the storage warehouse in New York to one in "I am quite satisfied. There can be ab- Brooklyn. A few years later he returned to this country again, concluded to go to Philadelphia for a more or less extended stay, remained until he came back to this country he transferred it to a warehouse in Boston, where it remained until it went on its last

journey to Chicago. SCENE CHANGES TO TURKEY.

During the time that he was in Europe isthat of the reward. With that the Pinkerton after stowing the picture away in Boston, this man was arrested two or three times minor offences, and finally, in the fall of 1897, he was arrested in Constantinople for "laying down" forged paper in the Turkish capital. He was tried, convicted and sentenced to six years' imprisonment After serving three weeks, he made his escape through the assistance of two Greeks and two Italians, who were living in the Greek quarter of Constantinople. He was secluded in the house of one of the Greeks and held

for a ransom from his friends of £300. While in this house he noticed in a Constantinople paper that the sporting man already referred to was among the recent arrivals at the Pera Palace, the best hotel in Constantinople. He lost no time in sending one of the Greeks to this man to tell him of his plight, and with the request that he call as soon as convenient. On getting the message the sporting man said to the mes-

"I don't know what you mean I don't know any such person."

"Ah!" said the Greek, "but he know you. You a prominent American. He want to you very much.'

"All right," said the sport, "you go back and tell him to write the name by which I well they should arrive at the Cunard pier know him on a slip of paper, put it in an in Liverpool to-day with the famous picture. envelope and seal it, and you bring it to me. And a passenger on the same ship, unknown | If I find that I know him I will call upon

> In an incredibly short time the Greek was back with a sealed envelope. The American sport opened it and at once recognized the name as belonging to a man who, years before, had done him a very great favor and had rendered him assistance when he needed it badly. The sport lost no time in following the Greek to the house where his acquaintance was held a prisoner for ransom. He learned the story and learned that the Greeks wanted £300 to liberate the man. The sport finally secured his friend's release for half the amount asked for and that night smug-

> nople the next morning for Smyrna. It so happened that, some time before that, William A. Pinkerton had communicated with the American sport, told him the story that he had heard from Elliott years before, mentioned the name of the thief and suggested that the sport might be of service to the Pinkerton agency at some time or other in bringing about the return of the

> FIRST STEP TOWARD PAINTING'S RETURN. The sporting man remembered this communication from the American detective on

> the trip to Smyrna, and asked his friend about the picture "Oh! damn the picture!" said the thief, "I wish it were in the bottom of the sen It's

"I'll move it for you," said the sporting

"You know me well enough," said the sport, "to know that when I tell you I will do a thing that I will come pretty nearly making good. I tell you I'll lift that white

elephant for you, and I will." That was in October of 1897. In the following November, both men found themselves in London. One night the American sport went into the Criterion restaurant for dinner There he met an old friend, the President of a very large corporation in this country, dining with a friend whom the sport did not The President and the sport greeted each other warmly, and the latter was in- times in public gatherings, she would "kiss troduced to the third man, who proved to be no less a person than Inspector Frost of Scotland Yard. "Why! are you Mr So-and-so?" said the

nspector. "You've had a letter of introluction to me in your pocket, given to you by Billy Pinkerton at least two years ago. on the other hand, have instructions from Pinkerton to take your word for any statenent that you may see fit to make and my superior, Supt. Swanson, has the same instructions from Mr. Pinkerton. Why haven't ou ever presented that letter?"

well!" said the sport, "I thought I'd bette wait until I dropped down your way under surveillance. I thought the letter might do me more good then than any other

The three men talked for a while and the corporation President excused himself to keep an evening engagement. Frost knew perfectly well why the American sport had a letter of introduction to him and the latter knew perfectly well why Frost had been instructed to take his word for anything It didn't take them long to begin a conversation about the lost Gainsborough. The inspector said that he would not like anything better than to be the means in England of returning the portrait to its owner since t might be of service to him when promoions were going around, but he had beome convinced that the picture was no onger in existence.

DID TAKE THE SPORTING MAN'S WORD "Well," said the sport, "You say you are illing to take my word for almost anything. Now, I tell you that the picture is not only in

existence, but you can secure its return, only ou must be guided by me. You can arrange you must be guided by me. You can arrange the details at this end and Pinkerton can look out for those on the other side of the ocean. There is only one stipulation that I make no arrests must be made, no body must be injured and no money is expected to be given to me for anything that I may do under any circumstances."

and they selected two pieces of jewelry together worth \$115. In payment Rome tendered a check for \$150 drawn on the German and purporting to bear the signature of Frank & Berman, suit manufacturers of 160 drawn on the German and purporting to bear the signature of Frank & Berman, suit manufacturers of 160 drawn on the German and purporting to bear the signature of the signature of the dark.

The sporting man told the Scotland Yard detective what he knew about the picture, and the upshot of the conversation was that Frost agreed to report the whole thing to his chief, Supt Swanson. He did so, and Swanson directed him to communicate with the Agnews. The Agnews referred the inspector to their attorney, Sir George Lewis, the famous English barrister and senior member of the well-known firm of Lewis & Lewis. Sir George pooh-poohed at the whole suggestion. He told Inspector Frost that it was another attempt to pass off on his client a spurious Gainsborough and he would advise

spurious Gainsborough and he would advise
them to have nothing to do with it

It turned out, however, that Lewis did not
take so little stock in the story as he would
have the inspector believe. It was learned
later that he had little disposition to treat
for the return of the picture through Scotland
Yard. He did, though, write soon after his
conversation with Frost to William A. Pinkerton, and tried to open negotiations with
him. Mr. Pinkerton promptly replied that
Mr. Lewis could do no business with the
Pinkerton agency; that if the Pinkertons were
to do anything, they must do it through regular channels, by which he meant Scotland
Yard.

Inspector Frost and the American sport
heard of all this in due time, and then the

heard of all this in due time, and then the American in talking with the inspector said:

"Some day you go up and call on Lewis, and say to him that if the picture does not exist, it cannot be returned, and if it cannot be returned his clients will not be obliged to give any reward. Tell him further that if he will permit the man who must conduct the negotiations to exhibit the picture for four months after it is brought back to London, Agnew & Sons can have the damned thing without paying a cent."

She left the store with the detective following her, and walked up Broadway. At Eighten the store with the detective following her, and walked up Broadway. At Eighten the store with the detective following her, and walked up Broadway. At Eighten the store with the detective following her, and walked up Broadway. At Eighten the store with the detective following her, and walked up Broadway. At Eighten the store with the detective following her, and walked up Broadway. At Eighten the pair on suspicion.

After locking Rome in a cell Maguire talked with the Smith woman. He says he learned from her a good deal about Ra-haelson as arrested in his rooms. He had \$186 when he was locked up. Rome had \$185 when he was locked up. Rome had \$185 when he was locked up. Rome had \$185 when he was locked up. Broadway. At Eighten the pair on suspicion.

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NEGOTIATIONS SUCCESSFULLY RESUMED This proposition was reported to Sir George,

out he would have none of it, and so the matter lapsed for a year and a half. In the spring of 1899, however, others had heard the story they had also heard the name of the man in whose possession it was. Agents of William Waldorf Astor went to the Agnews to get their permission to attempt to recover the picture for the purpose of advertising the Pall Mall Gazette. Other newspapers or their representatives did the same thing. The Agnews refused o consider such propositions, but, for som reason or other, finally concluded that it others were willing to take up such an enterprise, they might try it themselves. Accordingly, they reopened negotiations wit Inspector Frost, who immediately communicated with Willam A. Pinkerton. Mr. Pinkeron communicated with the American sport, and he arranged for the return of the picture the conditions upon which it should be reurned, which were those he had named nearly two years before to Inspector Frost, and he iso stipulated the amount of the reward.

At length all details were arranged and he American sportingman, who was then n New York, telegraphed to the thief in London to come over at once. He received for an answer that the man would arrive within a week. This news he communicated to Mr. Pinkerton, and the latter wired Inspector Frost to have Mr. Agnew or his representative start immediately to the United States. The four men met in Chicago, the picture was returned, the thief got nearly \$25,000, and Mr. Agnew returned to London with the picture, which now represents an outlay on the part of his firm of about \$75,500. The picture was in excellent condition, exept for a slight crack running across the hair and a part of the famous Gainsborough Mr. Agnew said that this could be readily repaired, Tand after the picture had been cleaned would be again exhibited in its old place in the Agnew art rooms.

All that Mr. Pinkerton would accept for his services was the regular fee of his agency and the promise of the second impression taken from the plate upon which an engravng of the famous picture will be made soon after it arrives in London. The first of these mpressions is to go to the American sportng man as the only reward he would accept

Cornect Ares for Min

that is built

to please the eye and to retain shape.

Good workmanship alone

can attain this result. George & Brazamen Brandway, Cor. 26 25%.

"Burrelle's Clippings"

better known at the "Electioneering Duchess.

She was the daughter of John, Earl Spencer, and was married to William, fifth Duke of Devonshire, on June 6, 1774. She died on March 30, 1806. She gained her pseudonym from the fact that, on more than one occasion, she proved of great assistance to her husband when he stood for election to Parliament from his district. It was said of her that at the butcher, the baker and the candlestick maker." for the purpose of gaining votes for her husband. She was considered to be the most beautiful woman in England in her At the time her portrait was purchased by the Agnews, the price paid was the highest ever given for a picture in England. Mr Cousins of the Royal Academy, a celebrated engraver of his day, was commissioned to engrave the picture. A subscription was opened at 25 guineas a copy for the first proof, and 12,000 guineas had been subscribed up to the time the picture was stolen.

BAD CHECK FOR GOOD JEWELRY. Band of Three Supposed Slick Forgers in Jail Through a Mistrustful Clerk.

Two men and a woman were locked up in the Tenderloin police station late yesterday afternoon on a charge of forgery, and the police think that in them they have nabbed three persons who have been making a very comfortable living by swindling confiding merchants by means of bad checks. The prisoners are recorded on the police blotter as Martin D. Rome of 56 East Fourth street. Jacob Raphaelson and Nellie Smith. Raphaelson and the Smith woman both live at 211 East Thirteenth street, where they were known as man and wife. Raphaelson, the police say, forged the checks and his two companions placed them

The arrest of the three was due to the prudence of the jewelry firm of Schuman's Sons at 939 Broadway. At noon yesterday Rome and the woman, both expensively dressed, entered the store and said they wanted to see some jewelry

Charles Kolb, a salesman, waited on them, and they selected two pieces of jewelry to

n red ink was what looked like the certifica-ion of the bank.

Kolb took the check to the back of the tore and showed it to a member of the firm. They are sceptical there of checks presented by strangers because they have been caught in bad ones several times recently so it was thally decided to tell the newcomers that the check would be accepted if the customers would leave it with the firm for a couple of louirs.

"of course the check is all right," said Rome. "You see it is certified."
"Oh, we haven't any doubt but that the sheek is good," said Kolb, "but of course we lon't want to take any chances."
"You're perfectly right," said Rome. "I'll eave the check and later in the day this ady will return and get the change and the works."

The couple walked out of the store not one

the woman.
She left the store with the detective follow-

had been made by the prisoners to pass the \$150 check at Tiffany's.

MINISTER LOOMIS SAILS ON SUNDAY

Expects to Reach Washington About April 18 -Asphalt Case in Venezuela High Court. WASHINGTON, April 5 -Minister Loomis at Caracas has telegraphed the Navy Department that he will sail on Sunday from La Guayra on the gunboat Scorpion for San Juan, P. R. where he expects to catch a steamer that will reach Hampton Roads about April 18. He will start from Hampton Roads for Washington without delay, in obedience to the orders of Secretary Hay to come here consultation about the serious condition the relations of Venezuela and the United

tates.
Mail advices received at the State Depart-Mail advices received at the State Department to-day from Minister Loomis tell of the presentation on March 21 of the petition of the Warner-Quinlan Asphalt Company in the High Court of Venezuela, praying that the New York and Bermudez Company be compelled to permit the petitioner to take possession of the Felicidad asphalt lake. The Minister said that it was expected that the court would issue its citation within a few days.

Foreign Consular Officers Recognized.

WASHINGTON, April 5 -The President has recognized these foreign consular officers at Victor Manuel Pazmino, Consul-General of Ecuador, and Evaldo Tierado, Consul-General of Peru.

OBITUARY. Col. Robert Wallace, a veteran of the Civil

and Mexican wars, died Thursday night after a five months' illness at the home of his sister. Mrs. Alexander Elliott, 120 Bentley avenue, Mrs. Alexander Elliott, 120 Bentley avenue, Jersey City. He was born in Easton. Pa., eighty years ago. He was a Captain in the Mexican war and became a Colone at the close of the Civil War. Col. Wallace lived for many years in Washington before its admission as a State and took an active part there in Republican politics. He was once urged to enter the race for Governor of the Territory but refused. Funeral service will take place at his home to-night.

Capt John Alexander Stevenson, the oldest. It his home to-might.

Capt John Alexander Stevenson, the oldest captain on the Mississippi River, died at shreveport, La, on Thursday night while on a visit there, aged 79. He was a native of niontown, Pa, but went to New Orleans in 85%, when he went into the river business, deran as captain of river steamers for twenty cears and then took charge of the Mississippi falley Barge Line from St Louis to New Orleans, at the head of which he remained up to the time of his death.

Cablegrams received from San Remo.

up to the time of his death.

Cablegrams received from San Remo. Italy, tell of the death on Wednesday of Henry Gubble, a prominent resident of Babylon, L. 1. aged 61 years. He was a son of Cannon Gubble of St. Paul's Cathedral, London He travelled extensively and for several years lived at Shanghai, where he was the American representative of the Standard Oil Company. His health recently became Impaired and his doctors ordered him to go abroad.

Evid Fighert, a bass plumber, died last.

Finel Ehrhart, a boss plumber, died last night at his home, 42 Seventh street. He was born in Germany 52 years ago and came to this country when a boy. He was well known among the Germans in the neighborhood of St Mark's place and was a member of the Beethoven Machuercher, the Rollicher Volksfest Verein, the Excelsior Fishing Club and several other German organizations. He leaves a widow George A Mills, proprieter of the Grafton Hotel in Washington, and formerly a prominent business man of Baltimore, died at his hotel on Thursday night at the age of 72 years. He came of an old Baltimore family, and during and subsequent to the Civil Warwas an extensive manufacturer of furniture in that city, filling large contracts for the Government.

David Warner of Keyport, N. J., died yes-terday, aged 54, of cancer of the stomach. For ten years he had been a Justice of the Peace and police justice. He never married. He was once President of the Keyport Board of Trade.

To Cure a Cold in . ne Day

for bringing about the return of the picture, for putting a small fortune in the hands of DETAINS CABIN PASSENGER

INSPECTOR FORCES WELL-TO-DO MAN TO VISIT ELLIS ISLAND. British Subject Who Has Lived in This Country Twelve Years but Has Only One Arm Had a Draft for \$10,000, but O'Connor

Feared He Might Become a Public Charge. Albert Priestman, a Philadelphia dry goods man, well-to-do and the head of a family, all of whom, except himself, were born on American soil, was taken into custody by an inspector of immigration upon his leaving the steamship Germanic on Thursday afternoon. The inspector decided that, although Mr. Priestman travelled first cabin and exhibited a certified draft for \$10,000 as evidence of his ability to provide for himself for a little while at least, there was danger of his becoming a public charge, because his left arm had been amputated, thus handicapping him in the race for employment. Mr. Priestman has lived in Philadelphia for fifteen years, but is still a British subject. The Philadelphia man had a lot of bag-

gage with him when he got in. With all other passengers he had to undergo a medical examination as the law requires. The examination is cursory for American citizens arriving here from foreign shores, but for a foreigner it may mean deportation. The official of the Marine Hospital Service who examined Mr. Priestman was Dr. Sterns. Mr. Priestman has been travelling back and forth over the ocean for twelve years and is familiar with the legal exactions which have been gradually piling up at American ports. During most of that time he has worn an artificial left arm, because in explosion shattered his own. On his arrival Thursday for the first time in his voyaging the immigration inspection authorities evolved the suspicion that his artificial arm was a menace to his future prosperity, inasmuch as it would possibly inder him in obtaining employment

After Dr. Sterns had completed his examnation he turned his report over to Inspector O'Connor, who is said to have been in the service three months. Dr. Sterns has since stated to reporters that he had no other course o pursue than to notify the Inspector that Priestman was physically disabled.

"I could not ask him how much money he had," explained Dr. Sterns, "because I had no right to do so. It made no difference i my report whether he was penniless or had drafts for \$10,000. All I am assigned to de s to report on the physical health of incoming ravellers. Ellis Island is to decide whethe a traveller is capable of supporting himself 'When O'Connor told Mr Priestman that he must submit to detention and prepare to go to Ellis Island for examination and invesigation in order that his liability to become a public charge might be ascertained, he said ome very forcible things. After a while he says, he tried argument on O'Connor.

"Why, here are some papers that show I am bringing \$10,000 with me," Priestman said. Here are my trunks. Besides I have got family in Philadelphia, all of them born in this country, and if you deport me why they'll become public charges. I've had this arti ficial arm for twelve years. It's queer you never decided to molest me before. I'm able to furnish bonds for my appearance and to insure that in the future I'm not likely to become a public charge

"Can't help that," O'Connor is said to have replied. "The law says that any passenger, cabin or steerage, who is not physically sound oust be held for examination so that we can make sure he wont get out of work I'll have to keep you in custody. The doctor has reported you as not physically sound

Mr. Priestman protested, the purser of the Germanic protested and the superintendent of the White Star pier protested, but O'Connor ould not be moved. Finally it was agreed that Priestman should be paroled over night in the custody of the superintendent, John Pennell Pennell signed an obligation to produce Priestman for examination yesterday. None of the Germanic's steerage passengers was taken off the steamship on Thurs-At first it was demanded by O'Connor that Priestman be confined to the steamship during the night so that he could accompany the immigrants to Ellis Island in the morning of the statement is as follows: to undergo examination. It is said, how-ever, that Mr. Priestman was allowed to spend the immigration laws of the United States. the night at a hote

The defence of Priestman, as far as the White Star Line was concerned, was turned over to Lawson Sandford, Secretary of the conference of transatlantic and Mediterranean steamship companies. The conference is a sort of pool for regulating pas-

senger rates Early yesterday Mr. Priestman and Secretary Sandford went over to Ellis Island. Commissioner Fitchie and Assistant Comaissioner McSweeney had both heard of his detention, and were really anxious to set him free as quickly as possible. The in- the United States. terview began with apologetic statements by Commissioner Fitchie. He explained that the Marine Hospital Service examiner had acted quite properly, but that the doctor, as well as O'Connor, was a new hand

"It wouldn't occur again in twenty years, exclained Commissioner Fitchie. "Two green hands, yet neither has been strictly at fault. If that inspector had not confined himself too closely to what was his own notion of the law you wouldn't have been bothered so. Anyway, you can be examined this

morning and then go away." "You had better not require this man to submit to such an examination," said Secretary Sandford to the Commissioner. "Why, he can just step down to the detention pens," the Commissioner responded.

"He'll have to be examined. At his examination on the pier, I understand, he admitted certain things." Mr. Priestman jumped to his feet.

"That's a lie!" he exclaimed loudly, and shook his fist at Commissioner Fitchie. There was more discussion, which ended n Mr. Priestman submitting to an examination in an office adjoining that of Commissioner Fitchie. Secretary Sandford repeatedly assured the Immigration Commissioner

Easter Wedding Presents

----(IV) ----

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that Mr. Priestman was a man of high standing in Philadelphia and that he had crossed the ocean sometimes twice a year for the past twelve years without having to undergo the examination. Mr. Sandford was able to speak authoritatively of Mr. Priestman because he had communicated with the White Star agent in Philadelphia who had sold the passenger his round trip ticket. After the examination Secretary Sandford and Mr. Priestman returned to this city. Mr. Priestman immediately started for his

home in Philadelphia. Commissioner Fitchie and Assistant Com missioner McSweeney told reporters afterward that Inspector O'Connor had acted correctly and within the law, but should have used judgment. Mr. McSweeney said that there was an impression that passengers in the first and second cabins of the steamships were not subject to the Immigration and Health laws of the ports of the United States. That impression is quite erroneous, Mr McSweeney said.

An official of the steamship companies' conference gave to reporters a statement of opinions generally held by steamship passenger agents and by the officials of the companies regarding the Priestman incident and the Immigration laws generally. Part

which are as arbitrary and autocratic and inhuman as any laws in existence. These laws were at first intended only to apply to mmigrants, but the word immigrant and the word alien have become juxtaposed in such a way that, while it was never intended by the framers of the legislation to apply to other than immigrants, it is now held by the immigration authorities that the laws apply to all alien or immigrant passengers whether in cabin or steerage; and it will be seen from Mr. Priestman's experience that they apply to an alien, although he may be a resident of

"In October, 1898, this new order of things was established by a circular of the Commissioner of Immigration approved by the acting Secretary of the Treasury.

The subject certainly needs the attention of the public, particularly that part of the public which will be likely to be affected by 'mistakes' of Government officials, who might just as readily as not hold up an Ameri can citizen on the basis that there was doubt whether he was really an American citizen." Mr. Priestman is said to have married an American woman and is the father of fou children. An immigration official said him: "Well, it seems to me that a man who has a family in Philadelphia, and who has

years and refuses to become a citizen, ought o be held up." OPPOSE NEW GERMAN LLOYD PIERS.

earned a living in this country for twelve

Hoboken Citizens Want to Know Where City Comes in Before Granting Long Lease. Assemblyman Fallon of Hoboken said yesterday that Counsellor Henry Gaede and he would ask the Hoboken Board of Council next Wednesday for a public hearing before the passing of an ordinance granting to the North German Dock Company the right to

build new piers at the foot of Fourth street

on the ground that the city may not be bene-

fited thereby. The dock company was incorporated about two months ago under the laws of New Jersey with a capital of \$1,000,000. It is believed that the North German Lloyd Steamship ompany is interested in it, as some of the stockholders in the latter company also hold stock in the former. Since the steamship company's piers were burned last summer their ships have been docked in this city until new piers could be built in Hoboken At the last meeting of the Hoboken Board of Council an ordinance was introduced granting to the dock company a lease for pas years of ground at the foot of Fourth street for new piers. The ordinance comes up for its final reading and passage on Wednesday. The company has already begun

driving piles for the piers. Councilman Stell asked the company to cease working until the ordinance was passed, but no attention was paid to him, and he now says that he will apply to the courts for now says that he will apply to the courts for a writ restraining the company from proceeding with the work.

When seen yesterday, Assemblyman Fallon said. The citizens of Hoboken have no assurance that they will get any return for the granting of these valuable rights to the dock company. If the dock company and the steamship company are not really one they are pretty close to it. At present the North German Lloyd's big passenger ships are docked in New York, and there is no guarantee that they will be docked here when the new piers are built, although the dock company says it will lease the piers to the steamship company. They could do he steamship company They could hat even, and the steamship company coulock their tramp steamers here. That,

A Suggestion Concerning Board and Booms. Advertisements in THE SUN may be depended on for deceiva.

would do away with any returns to

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Sale of Books every afternoon except Saturday. JOTTINGS ABOUT TOWN.

John Haskins of 270 West Fourth atreet killed dimself with a revolver yesterday morning at 100th treet and Wadsworth avenue. He was a foreman in the Rapid Transit subway. on the Rapid Transil subway.

James F. Murphy of 224 Sixty-second street, Jacob Winkel of 431 East Eighty third street, Miriam Joel of 130 West 112th street, David Daly of 221 West Tenth street, Alexander Martin of 2164 Lenox avenue, James F. Neal of 331 East 122d street, and Mary Turner of 1655 Jennings street, in The Bronx, were the patients sent to the smallpox hospital yesterday.

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